Ministry of the Environment
Ontario

M.O.E. Policy Manual

POLICY TITLE	THE USE OF HOLDING TANKS IN SEWAGE SYSTEMS UNDER PART VII OF THE ENVIRONMENTAL PROTECTION ACT	NO 08-05-01

Legislative Authority

the Environmental Protection Act (EPA), Regulation 374/81

Statement of Principles

The purpose of this policy is to protect human health and the environment by restricting the use of holding tanks in sewage systems. Systems which use holding tanks are expensive to operate and do not constitute a sufficiently reliable system for dealing with raw sewage on an ongoing basis.

In certain circumstances, holding tanks may be allowed provided that the organized Municipality concerned is willing to accept the onus of taking ultimate responsibility for the disposal of contents of those holding tanks.

Definitions

Class 4 sewage system	A septic tank system.
Class 5 sewage system	A sewage system which requires or uses a holding tank for the storage or retention of hauled sewage at the site where it is produced prior to its collection by a Class 7 sewage system.

Point of Contact

Director,
Approvals Branch

Effective Date

May 2, 1988

Class 6 sewage system	A sewage system in which sewage is treated in a proprietary aerobic sewage treatment plant.
Class 7 sewage system	A hauled sewage system.
Director	Persons appointed as Directors for Part VII, EPA, either from Ministry staff, or officials of Health Units.

1.0 Scope

This policy applies to proponents who require a Certificate of Approval and a Use Permit for sewage systems under Sections 64 and 67 of the EPA and to Directors appointed under Section 4 of the EPA.

2.0 Class 5 Sewage Systems Not Permitted

Directors will not approve applications for Class 5 sewage systems where the intended use is:

(a) for any new commercial, industrial, institutional, or residential installation;

(b) to permit the expansion of existing buildings or structures already served by a Class 5 sewage system; or

(c) to permit a change in the use of existing buildings or structures where the change results in the existing Class 4 or Class 6 sewage system being rendered inadequate; or

(d) for the development of undeveloped lots within a plan of subdivision registered before April 16, 1974, where the individual lots are of insufficient size to permit the installation of a Class 4 or Class 6 system.

3.0 Exceptions

Notwithstanding 2.0, Directors may permit the use of Class 5 sewage systems in the following circumstances:

(a) the proposed land use is for a temporary operation (excluding seasonal recreational use) not exceeding 12 months in duration; or

(b) as an interim measure for a parcel of land until municipal sewers are available, and where the municipality undertakes to ensure the continued operation of an approved Class 7 sewage system until municipal sewers are available; or

(c) where the lot is in a registered plan of subdivision but the lot is of insufficient size to permit the construction of a Class 4 or Class 6 sewage system and the municipality undertakes to ensure the continued operation of an approved Class 7 sewage system; or

(d) to permit the expansion of an existing single family residence which will continue as such and is already served by a Class 5 system.

3.1 Financial Assurance

Where exceptions are granted under 3.0 (a) and 3.0 (b), approval will be conditional on financial assurance being provided by proponents in accordance with the Ministry's Guidelines on the "Use of Financial Assurance".

Financial assurance, when imposed under the previous paragraph or otherwise, will be requested for the costs of such matters as pumpouts and decommissionings of systems employing holding tanks and providing connections to future sanitary sewers.

4.0 Class 5 Sewage Systems Permitted

The Director may approve applications for Class 5 sewage systems under the following conditions:

(a) to solve an existing pollution problem where the correction of the problem by the installation of a Class 4 or Class 6 sewage system is not possible because there is no suitable area for such a system on the lot; or

(b) to upgrade the standard of a sub-standard sewage disposal system on an existing lot, where upgrading through the use of a Class 4 or Class 6 sewage system is not possible due to lot size or dimension limitations, and where the existing use of the building or structure is to be continued.

NOTE:

Where both 2(a) and 4(a) apply unless the Director determines the waste which is not normal domestic type waste is of a nature that is suitable for treatment in a Part VII sewage system, the plumbing for such waste should be segregated and its storage and removal will be regulated under Part V of the Act.

3.1 should not be read as intending to restrict the imposition of conditions only to matters set out therein.